

OCT 01 2019

## UNITED STATES DISTRICT COURT

for the

MITCHELL R. ELFERS  
CLERK lmn

District of New Mexico

Second Division

Wilfred Alexander Page  
ET AL  
Albuquerque Citizens

Case No.

19cv925-JFH

(to be filled in by the Clerk's Office)

## Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Albuquerque Police Department

Jury Trial: (check one)  Yes  No

## Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

### COMPLAINT FOR A CIVIL CASE ALLEGING NEGLIGENCE

(28 U.S.C. § 1332; Diversity of Citizenship)

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Wilfred Alexander Page
Street Address	1509 Erbbe Street NE
City and County	Albuquerque, Bernalillo
State and Zip Code	New Mexico 87112
Telephone Number	(505) 859-0688
E-mail Address	Willfuss@gmail.com

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

**Defendant No. 1**

Name	Albuquerque Police Department
Job or Title ( <i>if known</i> )	Northwest Area Command
Street Address	400 Roma Ave, NW
City and County	Albuquerque Bernalillo
State and Zip Code	New Mexico 87102
Telephone Number	(505)768-2200
E-mail Address ( <i>if known</i> )	

**Defendant No. 2**

Name	<u>Albuquerque Police Dept.</u>
Job or Title (if known)	
Street Address	<u>400 Roma Ave, NW</u>
City and County	<u>Albuquerque, Bernalillo</u>
State and Zip Code	<u>New Mexico 87102</u>
Telephone Number	<u>(505) 768-2200</u>
E-mail Address (if known)	

**Defendant No. 3**

Name	<hr/>
Job or Title ( <i>if known</i> )	<hr/>
Street Address	<hr/>
City and County	<hr/>
State and Zip Code	<hr/>
Telephone Number	<hr/>
E-mail Address ( <i>if known</i> )	<hr/>

**Defendant No. 4**

Name	
Job or Title ( <i>if known</i> )	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address ( <i>if known</i> )	

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Under 28 U.S.C. § 1332, federal courts may hear cases in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000. In that kind of case, called a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff. Explain how these jurisdictional requirements have been met.

**A. The Plaintiff(s)**

1. If the plaintiff is an individual

The plaintiff, (name) Wilfred Alexander Page, is a citizen of the  
State of (name) New Mexico.

2. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated  
under the laws of the State of (name) \_\_\_\_\_,  
and has its principal place of business in the State of (name) \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**B. The Defendant(s)**

1. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of  
the State of (name) \_\_\_\_\_. Or is a citizen of  
(foreign nation) \_\_\_\_\_.

2. If the defendant is a corporation

The defendant, (name) Albuquerque Police Department, is incorporated under  
the laws of the State of (name) New Mexico, and has its  
principal place of business in the State of (name) Washington D.C.  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_,  
and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

**C. The Amount in Controversy**

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

Pro Se 5 (Rev. 12/16) Complaint for a Civil Case Alleging Negligence

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500,000

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### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

On (date) 2017, at (place) Villa De Paz Town Homes,

the defendant(s): (1) performed acts that a person of ordinary prudence in the same or similar circumstances would not have done; or (2) failed to perform acts that a person of ordinary prudence would have done under the same or similar circumstances because *(describe the acts or failures to act and why they were negligent)*

While being Placed under arrest and while screaming for help and yelling Police Brutality and having my mouth open one or the Police officers (female) While I was screaming for help said Owe Wilfred don't bite me don't bite me then as my mouth was open and I was screaming for help she forced her arm into my mouth in which my natural reaction was to bite down.... while in arraignment my lawyer asked about the lapel videos from one of the two officers present in which they both stated they could not recover nor did they have. The other officer (male) stated that he was fearful that a phantom lighter was going to light his arm on fire in which I did not have as the

The acts or omissions caused or contributed to the cause of the plaintiff's injuries by *(explain)*

Severe Mental and Physical harm and mental anguish, bullying, targeting because of the fact I have mental illness and Hate Crimes because of the fact that I am Gay. This has added much mental distress and anguish to my PTSD.

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### IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I am asking for Damages and Mental anguish and I am also asking for a class action lawsuit in which the Actions of the Albuquerque Police Department are looked into not only into my self and my own situation but also the countless other citizens and peoples who rely on APD as Peace Officers and not Bullies and that our Fourth amendment be upheld that one can live in peace and not in fear of unlawful or illegal police conduct or harassment and brutality and ones Eighth Amendment be Upheld that no Cruel nor unusual Punishment be inflicted nor any police brutality of any kind be inflicted because of prejudice on behalf of an APD officer because of ones Race, Creed, Sexuality, Religion, Disability, Mental State, Nationality nor place of Origin nor any other judgment on behalf of APD Or its Officers or any of its affiliates acting on its behalf.

**V. Certification and Closing**

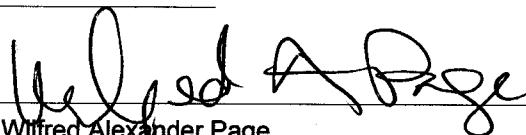
Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 9/30/2019

Signature of Plaintiff



Printed Name of Plaintiff

Wilfred Alexander Page

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney



Printed Name of Attorney



Bar Number



Name of Law Firm



Street Address



State and Zip Code



Telephone Number



E-mail Address



Wilfred A Page  
1509 Erbbe St ne  
Albuquerque, NM  
87112

CPU



U.S. POSTAGE  
\$4.39  
FCMP 0005  
Orig: 87112  
09/30/19 28  
11113241  
08

Mitchell R. Elfers

Pete V. Domenici

U.S. Courthouse

Albuquerque, NM

333 Lomas Blvd. NW

87102

Clerks office  
2nd floor

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UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

OCT 1 2019

MITCHELL R. ELFERS  
CLERK

**Handle with Care • Prenez soin**